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**DATE:** July 22, 2005

**PTO IDENTIFIER:** Application Number 10/627311-Conf. #1900  
Patent Number

**Inventor:** Cydney C. BROOKS

**MESSAGE TO:** US Patent and Trademark Office

**FAX NUMBER:** (703) 872-9306

**FROM:** LAHIVE & COCKFIELD, LLP  
Megan E. Williams, Esq.

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**Attorney Dkt. #:** ADY-001B

**PAGES (Including Cover Sheet):** 4

**CONTENTS:** Transmittal (1 page)  
Notification of Erroneous Assertion of Small Entity Status (1 page)  
Certificate of Transmission (1 page)

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PTO/SB/21 (06-04)


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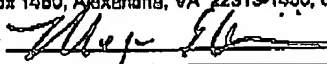
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/627311-Conf. #1900	
	Filing Date	July 25, 2003	
	First Named Inventor	Cydney C. BROOKS	
	Art Unit	1653	
	Examiner Name	S. M. Mayer	
Total Number of Pages in This Submission	4	Attorney Docket Number	ADY-001B

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	LAHIVE & COCKFIELD, LLP		
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Printed name	Megan E. Williams, Esq.		
Date	July 22, 2005	Reg. No.	43,270

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Cydney C. Brooks

Serial No.: 10/627311

Filed: July 25, 2003

For: USE OF INSULIN RESPONSE MODULATORS  
IN THE TREATMENT OF DIABETES AND INSULIN  
RESISTANCE

Attorney Docket No.: ADY-001B

Group Art Unit: 1653

Examiner: S.M. Mayer

Commissioner for Patents  
P.O. Box 1450  
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Dated: July 22, 2005

Signature: 

(Megan E. Williams, Esq.)

NOTIFICATION OF ERRONEOUS ASSERTION OF SMALL ENTITY STATUS


Dear Sir:

At the time of filing, the above-identified patent application erroneously claimed small entity status. Applicants hereby submit that this error occurred without any fraudulent intent and through error. Applicants paid the filing fee based on large entity status at the time of filing and erroneously checked the box indicating small entity status on the Fee Transmittal.

It is respectfully requested that the above-identified patent application be deemed a large entity.

Respectfully submitted,

LAHIVE &amp; COCKFIELD, LLP



Megan E. Williams, Esq.

Registration No. 43,270

Attorney for Applicants

Dated: July 22, 2005  
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PTO/SB/97 (05-04)

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Application No. (if known): 10/627311

Attorney Docket No.: ADY-001B

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